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FILED  
Court Administrator

STATE OF MINNESOTA

DISTRICT COURT

FEB 20 2009

COUNTY OF RAMSEY

SECOND JUDICIAL DISTRICT

By *[Signature]* Deputy

In the Matter of the Contest of General Election  
held on November 4, 2008, for the purpose of  
electing a United States Senator for the State of  
Minnesota

District Court File No. 62-CV-09-56

Cullen Sheehan and Norm Coleman,

Contestants,

vs.

Al Franken,

Contestees,

Dennis Peterson, et. al.,

Petitioners,

Supreme Court File No. A09-65

vs.

Mark Ritchie, Minnesota Secretary of State, et. al.,

Respondents.

**PETITIONERS' NOTICE OF MOTION AND  
RENEWED MOTION FOR SUMMARY JUDGMENT**

PLEASE TAKE NOTICE that as soon the parties may be heard, Petitioners Dennis Peterson, et. al. ("Petitioners"), through their attorneys, Lockridge Grindal Nauen P.L.L.P., will renew, and hereby renew, their motion to this Court, the Honorable Elizabeth A. Hayden, the Honorable Kurt J. Marben, and the Honorable Denise D. Reilly, presiding, at the Minnesota Judicial Center, 25 Rev. Dr. Martin Luther King Jr. Boulevard, St. Paul, State of Minnesota, for

the entry of an order granting summary judgment in their favor pursuant to Rule 56 of the Minnesota Rules of Civil Procedure.

Petitioners respectfully request this Court grant judgment as a matter of law in their favor as follows:

1. Directing that 19 Petitioners' absentee ballots shall be opened and counted immediately, and the total be declared and certified, for such use as might be appropriate by the United States Senate, this Court in the above-captioned matter, or any other proper use under law; and

2. Granting Petitioners such other relief as the Court deems just and appropriate.

Date: February 20, 2009

**LOCKRIDGE GRINDAL NAUEN P.L.L.P.**

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